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5 In Propria Persona

ORIGINAL FILED  
ORDER FOR RELIEF

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KEENAN G. CASADY, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DIST. OF CA.  
SANTA ROSA, CA.

6 UNITED STATES BANKRUPTCY COURT  
7  
8 NORTHERN DISTRICT OF CALIFORNIA

8	In re	)	Case No. 95-10911 aj
9		)	
10	GERALD ARMSTRONG,	)	Chapter 7
11	Debtor	)	
12		)	Adv. No. 95-1164
13	CHURCH OF SCIENTOLOGY	)	GERALD ARMSTRONG'S
14	INTERNATIONAL, a California non-	)	OPPOSITION TO
15	profit religious corporation,	)	SCIENTOLOGY'S
16	Plaintiff,	)	MOTION TO STRIKE
17	v.	)	AMENDED ANSWER
18	GERALD ARMSTRONG,	)	
19	Defendant.	)	

20 INTRODUCTION

21 Plaintiff Scientology organization claims that it has filed  
22 a straightforward complaint herein, and that Armstrong's amended  
23 answer is a "lengthy diatribe of scandalous, irrelevant and ad  
24 hominem attacks," denials which "ignore" the complaint, and  
25 affirmative defenses without "short and plain statement[s]" of  
26 the defense asserted. On the basis of these assertions  
27 Scientology urges the Court to strike the amended answer.

28 Armstrong has added such short plain statements to each of  
his affirmative defenses, and submits a Second Amended Answer



1 herewith, curing that defect.

2 The rest of his answer is truthful, relevant, simple, and as  
3 concise as possible. The answer contains allegations which  
4 Scientology calls scandalous only because Scientology's actions  
5 in attacking Armstrong and others are scandalous, and it is these  
6 attacks, pursuant to its scandalous and judicially condemned  
7 "fair game" doctrine, which are at the core of its litigations  
8 against him, and are central to his defenses herein.

9 Scientology seeks to litigate its claims against Armstrong  
10 in a contrived vacuum, which omits its history with him, and its  
11 nature. This case cannot be litigated in such a vacuum as to  
12 attempt to do so would result in injustice. For that reason  
13 Armstrong included in his answer the necessary history of his  
14 relationship with Scientology, and the necessary facts concerning  
15 the arm of Scientology which carries out "fair game" against him.  
16 That arm, which includes Scientology's litigation machine, is  
17 behind Scientology's prosecution of this action in the Bankruptcy  
18 Court. Scientology has filed its complaint herein, and its  
19 motion to strike, not because it honestly believes Armstrong has  
20 a mountain of assets he is hiding, but as part of its "fair game"  
21 litigation strategy to overwhelm, break and destroy him.

22 His answer should not be stricken. Scientology should  
23 simply confront and deal with the truth of its history and nature  
24 which brings it here, and move toward a trial of its charges.  
25 Omitting truth from litigation results in unjust judgments.

26 Armstrong signed Scientology's "settlement contract" because  
27 he was afraid to do otherwise. He had been subjected for years  
28 to Scientology's "fair game" threats and acts. The lives of more  
than twenty people, including his lawyer Michael Flynn and his



1 family, appeared to depend on Armstrong's signing. "Fair game"  
2 and the "fair game" "contract" are what Scientology's attack on  
3 Armstrong in the State Court, and now in this Court are all  
4 about. There are issues of justice, fairness, safety and the  
5 integrity of the justice system itself from which Armstrong  
6 cannot walk away.

7 He does not seek conflict with Scientology. He does not  
8 enjoy parrying its blows and countering its attacks with the  
9 pointed truth. He would be very happy if Scientology simply  
10 dismissed the lawsuits filed against him, including this one.  
11 Scientology can gain nothing, other than his more perfect  
12 destruction, and he fights on because he believes that his  
13 destruction has no value to anyone, especially Scientologists.

#### 14 ARGUMENT

15 Armstrong will deal only with enough of Scientology's  
16 arguments to demonstrate that its motion to strike is ill-founded  
17 and should be denied.

18 1. Scientology asserts that his answer "lacks connection  
19 both to the issues of the complaint." (Memorandum of Points and  
20 Authorities ("P&A") at 3:9.)

21 This is not true and Scientology has provided no part of the  
22 answer to support the assertion.

23 2. Scientology asserts that the Introduction and History  
24 in his answer "consist of a rambling, disjointed narrative in  
25 which Armstrong purports to describe in the most vituperative  
26 terms imaginable, his views, feelings, beliefs, and arguments  
27 about his former religion and its Founder; the plaintiff and its  
28 leaders; the plaintiff's lawyers; and all the judges who have in  
the past ruled against him." (P&A at 3:10-16)



1 A reading of the introduction and history sections of the  
2 answer shows that these assertions are not true. Scientology  
3 identifies no disjointures and the writing as a whole does not  
4 ramble. The history is as long as it is because Armstrong's  
5 history with Scientology is long, and Scientology's history of  
6 "fair game" on him is long.

7 The terms he has used, which Scientology calls vituperative,  
8 come, for the most part, straight from the decision after trial  
9 in the original Scientology v. Armstrong case, Exhibit A to the  
10 amended answer, affirmed on appeal. Judge Breckenridge stated:

11 "In addition to violating and abusing its own members  
12 civil rights, the [Scientology] organization over the  
13 years with its "Fair Game" doctrine has harassed and  
14 abused those persons not in the Church it perceives as  
15 enemies. The organization clearly is schizophrenic and  
16 paranoid, and this bizarre combination seems to be  
17 reflective of its founder LRH. The evidence portrays a  
18 man who has been virtually a pathological liar when it  
19 comes to his history, background, and achievements.  
20 The writings and documents in evidence additionally  
21 reflect his egoism, greed, avarice, lust for power, and  
22 vindictiveness and aggressiveness against persons  
23 perceived by him to be disloyal or hostile."

24 (Memorandum of Intended Decision, Ex. A to Amended Answer at  
25 8:18-9:4)

26 The simple fact is that in the 1940's L. Ron Hubbard was  
27 involved in a black magic cult led by Aleister Crowley.  
28 Armstrong knew this because he possessed Hubbard's personal  
documents which showed his involvement in the cult and its magic



1 rituals. Armstrong also possessed writings in Hubbard's own  
2 handwriting showing his conscious programming of himself to use  
3 satanic powers and to enslave people. Indeed in his conscious  
4 programmings Hubbard wrote, "All men are my slaves." Because of  
5 Scientology's ceaseless attacks on Armstrong from 1982, he has  
6 studied and come to grips with its history, practices and nature,  
7 including its anti-Christian "theology" and "secret"  
8 antireligious writings. Through God's Grace he also became a  
9 Christian. The simple fact is that Scientology attempts to  
10 enslave people, especially Christians, through deception,  
11 coercion, hypnosis and the use of neo-satanic "power." He is not  
12 making Scientology anti-Christian, deceptive or coercive. He is  
13 not making Scientology's leaders choose the organization's neo-  
14 satanic theology. He has been selected by these leaders to be  
15 attacked, and he has been selected by God to defend the truth and  
16 defend His children, where called upon, from Scientology's  
17 bizarre satanism. Armstrong cannot be blamed judicially for  
18 being a child of God, for being brought by God to Christianity,  
19 for defending the truth, and for defending God's children.

20       Scientology asserts that Armstrong describes "in the most  
21 vituperative terms imaginable, his views, feelings, beliefs, and  
22 arguments about... all the judges who have in the past ruled  
23 against him." (P&A, 3:10-16) He writes in his answer that  
24 "Scientology ... was able to deceive one judge, who did not  
25 understand, into accepting its interpretation of the settlement  
26 contract and ruling against Armstrong." (Amended Answer ("AA"),  
27 16:18-22) Armstrong did nothing which resembles Scientology's  
28 assertion. The fact is the judge, for whatever reason, did not  
understand.



1           3.     Scientology asserts that Armstrong stated in his answer  
2     "that the Church and each of its members is "evil" and "neo-  
3     satanic."     A search of the answer, however, reveals that he  
4     called Scientology's "settlement contract" "evil," which it is;  
5     noted that there is a "dark force of evil" in the world, which  
6     there is, to which Hubbard sold his soul, which he did; that the  
7     "fair game" doctrine is "evil," which it is; that Scientology  
8     interprets the "settlement contract" to means that it can say  
9     whatever "evil" it wants to about Armstrong without his being  
10    able to respond, which it does; that fraudulent promises and  
11    public lies, abuse of human beings, dangers to families and  
12    children, and an inordinate number of suicides, unexplained  
13    deaths and psychotic episodes are "evils," which they are; and  
14    that Scientology's intention to destroy his reputation, work and  
15    life is "evil," which it is. Nowhere does he state that each of  
16    Scientology's members is "evil," and he does not believe such an  
17    idea. Scientologists are no more evil than the rest of us; some  
18    of Scientology's policies, practices and "theology" are evil, as  
19    evil is commonly understood. Theologically, Scientology, in  
20    teaching and enforcing the idea that God, Christ and Heaven are  
21    "implants" which enslave man is evil, and satanic. It is these  
22    evil policies, practices and "theology" that Armstrong opposes,  
23    and it is these evils which bring Scientology into this Court.

24           4.     Scientology asserts that he has failed to make specific  
25    allegations which he is required to make, and it cites to his  
26    answer to Scientology's allegation no. 2: "Armstrong lacks the  
27    information necessary to be able to admit or deny any of the  
28    averments in this paragraph." This is truthful. He still lacks  
   the information necessary to be able to admit or deny



1 Scientology's averments. He is certain, however, that the  
2 Bankruptcy Court has accepted Scientology's complaint, and his  
3 amended answer, and that the Court will know if it has  
4 jurisdiction and if this is a "core proceeding." Armstrong is  
5 not fleeing from Scientology's attack by professing a false lack  
6 of knowledge. He has asserted in his answer that he recognizes  
7 that Scientology's attacks and cruelty and years of "fair game"  
8 threat have had a deep effect on his mind, and he acknowledges  
9 that he is not a rocket scientist. (AA, 35:23-25)

10 5. Scientology asserts that Armstrong's allegations  
11 concerning Scientology's reputation in its legal affairs for  
12 dirty tricks, threat, dishonesty, deception, attrition and  
13 overwhelm, and its reputation for using bullying and dishonest  
14 private investigators to harass opponents, are immaterial,  
15 impertinent and scandalous. (P&A, 7:12-14, 7, n. 2) They are not.  
16 These well-deserved reputations are why the state case against  
17 Armstrong was able to proceed to summary adjudication. His  
18 attorney Michael Flynn, with testimony which could end the  
19 litigation, is afraid to come forward because of that reputation.  
20 The very "settlement contract" that Scientology seeks to enforce,  
21 and which brings it into this Court, was obtained by Scientology  
22 by these very facts of its litigation practice: dirty tricks,  
23 threat, dishonesty, deception, attrition, overwhelm, and using  
24 unscrupulous private investigators to harass opponents.  
25 Armstrong's allegations are material, pertinent and true.

26 6. Scientology asserts that his allegations concerning L.  
27 Ron Hubbard being paranoid, schizophrenic, a pathological liar,  
28 greedy, lustful of power and vindictive are false as well as  
immaterial, impertinent and scandalous. (P&A, 8, n.3) They are



not. (See quote from Judge Breckenridge, supra, and Ex. A to Amended Answer at 8:18-9:4). Armstrong's allegations containing the Breckenridge language are material, pertinent and true. Scientology has attacked him without letup since 1982. The Breckenridge decision provides an understanding of Scientology's nature, history and its attacks on Armstrong. Scientology has continued its attack on him into the present era in large part as a way of somehow invalidating or casting an unfavorable light on the Breckenridge decision. Armstrong opposes these attacks because they are the wrong way to resolve Scientology's problems. He urges Scientology to change its policies and behavior which resulted in the Breckenridge decision. Then history and the courts will deal more favorably with Scientology. Its "fair game" attacks to try to invalidate the decision only prove the decision's validity.

7. Scientology asserts that Armstrong's allegations concerning its leaders of harassing him by judicial enforcement of an illegal and evil contract and subjecting him to a campaign of overt and covert character assassination are false as well as immaterial, impertinent and scandalous. (P&A, 8, n.4) They are not. The "settlement contract" has already been ruled in part illegal. If there are such things as evil contracts, and American jurisprudence accepts that there are, then this "contract" is evil. It "permits" Scientology, so it says, to say whatever evil it wants about Armstrong and to punish him if he responds. It robs him of his Constitutional rights to freedom of religion, freedom of speech, due process, and equal protection, and "permits" Scientology to continue "fair game," to obstruct justice, and to rewrite its history with "impunity." The



1 "contract" does nothing good other than settle Armstrong's cross-  
2 complaint against Scientology, which could have been achieved  
3 with a simple dismissal. He has listed some of the known overt  
4 and covert character assassination of him engaged in by  
5 Scientology in his amended answer:

6 "using a paid agent to spread the false rumor that  
7 Armstrong has AIDS; disseminating to the media packs of  
8 black propaganda which provide Scientology's false  
9 version of Armstrong's experiences, including lies that  
10 he testified falsely at trial in 1984, that he has  
11 adopted a degraded lifestyle, that he is connected to a  
12 referral agency for kidnapping, that his defense in the  
13 1984 trial was a sham and a fraud, that the Los Angeles  
14 Police Department authorized videotaping Armstrong,  
15 that he wanted to plant fabricated documents in  
16 Scientology files and tell the IRS to conduct a raid,  
17 that he wanted to plunder Scientology for his own  
18 financial gain, that he never intended to stick to the  
19 terms of the "settlement contract", that Armstrong's  
20 motives are money and power, that he was incompetent as  
21 a researcher, that he perjured himself about  
22 surrendering documents to the court, that he wanted to  
23 orchestrate a coup in which members of the US  
24 government would wrest control of Scientology;  
25 publishing black propaganda about Armstrong without  
26 stating its source which provide Scientology's false  
27 version of Armstrong's experiences including the lies  
28 that Armstrong was formerly a heavy drug pusher, that a  
Marin Independent Journal photo showed him in the nude,



1 that he is psychotic and lives in a delusory world;  
2 charging falsely in a letter to the press that  
3 Armstrong had distinguished himself by posing naked in  
4 a newspaper; attempting to cause Armstrong trouble with  
5 the IRS by writing black propaganda letters about him;  
6 distributing packs of black propaganda which attack his  
7 lawyer, Ford Greene, and Judge Breckenridge." (AA,  
8 15:5-16:3)

9 Armstrong has documentary proof of each of these false charges,  
10 and will supply it to the Court if desired. This documentary  
11 proof was included in his evidence in opposition to Scientology's  
12 motion for relief from stay, which evidence Scientology earlier  
13 convinced this Court to strike. The issue of Scientology's  
14 character assassination of him is now properly before the Court.  
15 Each of us is our character. Scientology will never destroy his  
16 character, although it has spent millions to attempt to destroy  
17 it in the minds of judges, the media and the public. Ultimately  
18 its actions in attempted character assassination will simply  
19 show, as Judge Breckenridge observed, the dark character of its  
20 leaders. Nevertheless, such actions by Scientology are  
21 dangerous, and Armstrong urges Scientology to desist.

22 8. Scientology asserts that his allegations concerning its  
23 neo-satanic and anti-Christian nature and practices are false as  
24 well as immaterial, impertinent and scandalous. (P&A, 8, n.5)  
25 They are not. The nature of the entity attempting to enforce its  
26 "contract," the nature of the "contract," the history and  
27 judicial condemnation of the entity's "fair game" practices, and  
28 the history of the entity's "fair game" attacks on Armstrong are  
all relevant to his defenses of yet one more "fair game" attack.



1 The "theology" of the entity in this case is relevant because he  
2 has a valid defense of freedom of religion, and he cannot by any  
3 court be barred from religious expression, which may take the  
4 form of criticism of religion. Scientology calls its policies,  
5 which ridicule and negate God, Christ and Heaven as implanted  
6 ideas to enslave people, its "sacred scriptures." Can  
7 Armstrong's writings and words which point out Scientology's  
8 anti-Christian and anti-religious nature be anything less than  
9 religious expression? In its complaint Scientology labels him,  
10 "an anti-Scientology "expert" and paralegal," (Complaint,  
11 4:9,10); claims that he "made an anti-Scientology videotape," and  
12 wrote an "anti-Scientology screenplay," worked for "three  
13 different anti-Scientology attorneys;" (Id. 11:9-12) has taken  
14 "anti-Scientology actions;" and has an "anti-Scientology  
15 campaign" (Id. 11:14-17) Why is it fine for Scientology to label  
16 Armstrong anti-Scientology, when he is not, and not acceptable  
17 for him to label Scientology's anti-Christian policies and  
18 practices anti-Christian, when they indeed are? He is opposed to  
19 Scientology's anti-Christian, and obnoxious by any lawful  
20 standard, "fair game" doctrine. He is opposed to Scientology's  
21 duplicity in promoting itself and its beliefs as compatible with  
22 Christianity, when in its secret teachings its beliefs are anti-  
23 Christian, and by these same teachings, satanic. He is not  
24 opposed to Scientology, because Scientology is what its leader,  
25 David Miscavige, says it is; and Miscavige could very easily,  
26 with a single order, transform his organization into a non-anti-  
27 Christian, peaceful, honest, helpful, charitable and healthy  
28 enterprise. Armstrong prays that he does so.

9. Scientology asserts that Armstrong proclaimed in his



1 answer that he is "divinely inspired in his words and actions;"  
2 (P&A, 8:4,5), and then that this allegation has no "material  
3 bearing on the instant action." (P&A, 9:5,6) It was  
4 Scientology, however, in its complaint which first raised this  
5 issue by claiming that Armstrong's transfers of his worldly  
6 possessions in 1990 were fraudulent. Scientology has  
7 consistently ridiculed the idea that God could possibly  
8 communicate with His children, and could possibly communicate  
9 with one of them, in answer to his prayer for guidance, to give  
10 away his worldly wealth. Armstrong believes that there are two  
11 major philosophic systems in the world: that we are guided, and  
12 that we are not guided. He believes that he is guided;  
13 Scientology believes that there is no God, thus there is no  
14 guidance. Because of Scientology's attacks on him, it has  
15 brought its worldly philosophic system into direct conflict with  
16 his religious system of guidance. Thus the pages of court  
17 documents in Scientology's lawsuits against him contain  
18 statements by him regarding why he is where he is and does what  
19 he does; that is, being guided, and denouncements of the idea of  
20 guidance by Scientology. Scientology's war on him has a  
21 religious basis, and does not belong in any court; but being in  
22 court cannot be eliminated.

23 10. Scientology asserts that Armstrong's statements in his  
24 answer concerning Scientology's anti-Christian nature are  
25 "unsupported and insupportable allegations." They are not. He  
26 has already filed herein two bulletins by L. Ron Hubbard in which  
27 Hubbard declares God, Christ and Heaven to be "implants," and an  
28 excerpt from the Report of the Board of Inquiry Into Scientology  
in the Houses of Parliament of the State of Victoria in



1 Australia, all of which demonstrate Scientology's denial of God,  
2 Christ and Heaven. The Holy Bible provides the rest of the  
3 support; e.g., 1 John 2:22, "Who is a liar but he that denieth  
4 that Jesus is Christ? He is antichrist, that denieth the Father  
5 and the Son." These are dangerous denials by Scientology, which  
6 must be, for the sake of all who have become involved with this  
7 organization, brought to light.

8 11. Accepting Scientology's assertion that "the function of  
9 a 12(f) motion to strike is to avoid the expenditure of time and  
10 money that must arise from litigating spurious issues by  
11 dispensing with those issues prior to trial," then the motion  
12 should be denied because there are no spurious issues in  
13 Armstrong's amended answer.

14 12. Scientology asserts that "a litigants's pro se status  
15 [does not] give him carte blanche to use the Court's files as a  
16 "dumping ground."" Armstrong has not used the Court's files as a  
17 dumping ground, but has attempted to express his defenses, the  
18 issues and himself as accurately and concisely as possible, in a  
19 context and medium and concerning a subject and history of  
20 labyrinthian complexity. Armstrong apologizes to everyone for  
21 any lack of professionalism. Contrary to what Scientology  
22 implies, pleadings of pro se litigants are held to an even less  
23 rigid standard than those drafted by attorneys. Haines v. Kerner  
24 (1972) 404 US 519, 529.

25 13. Even, however, if Armstrong were not pro se, federal  
26 pleadings requirements are extremeley liberal. The rules are  
27 designed specifically to minimize disputes over pleading  
28 technicalities. FRCP 1,8(f); Conley v. Gibson (1957) 355 US 41,  
45-46.



1 14. Motions to strike are regarded with disfavor because  
2 they are often used as delaying tactics, and because of the  
3 limited importance of pleadings in federal practice. colaprico  
4 v. Sun Microsystems, Inc (ND CA 1991) 758 F.Supp.1335, 1339;  
5 United States v. 929.773 Acres of Land (D HI 1982) 531  
6 F.Supp.967.971.

7 15. Scientology doesn't need money, and doesn't need the  
8 money Armstrong doesn't have. They don't need him to be gagged  
9 or destroyed. But what they really do need is to be true to what  
10 is true, and if they are going to be a religion to be religious.

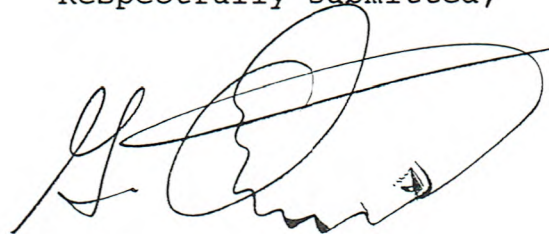
11 **CONCLUSION**

12 1. Armstrong's second amended answer cures the defects in  
13 his affirmative defenses.

14 2. Based on the above, Scientology's motion to strike  
15 should be denied.

16 DATED: September 25, 1995

Respectfully submitted,

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21 Gerald Armstrong  
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28



1  
2 PROOF OF SERVICE  
3

4 I am employed in the County of Marin, State of California. I  
5 am over the age of eighteen years and am not a party to the above  
6 entitled action. My business address is 715 Sir Francis Drake  
7 Boulevard, San Anselmo, California. I served the following  
8 documents:

9  
10 **GERALD ARMSTRONG'S OPPOSITION TO SCIENTOLOGY'S MOTION  
TO STRIKE AMENDED COMPLAINT**

11 on the following person(s) on the date set forth below, by  
12 placing a true copy thereof enclosed in a sealed envelope with  
13 postage thereon fully prepaid to be placed in the United States  
14 Mail at San Anselmo, California:

15 ANDREW H. WILSON, ESQ.  
16 ESQ. Wilson, Ryan & Campilongo  
17 115 Sansome Street, 4th Floor  
San Francisco, CA 94104

LAURIE J. BARTILSON, ESQ.  
Moxon & Bartilson  
6255 Sunset Boulevard  
Suite 2000  
Los Angeles, CA 90028

18  
19 [x](By Mail) I caused such envelope with postage thereon fully  
20 prepaid to be placed in the United States Mail at San Anselmo,  
California.

21 [x](State) I declare under penalty of perjury under the laws of  
22 the State of California that the above is true and correct.

23 DATED: September 25, 1995  
24  
25  
26  
27  
28

*Leien Abbey Phippens*  
